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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kathryn S.E. Cheah and Kenneth M.C. Cheung  
Serial No. : 09/975,607  
Filed : October 11, 2001  
For : USE OF TRANSGENIC MOUSE CONTAINING A TYPE X  
COLLAGEN MUTANT

1185 Avenue of the Americas  
New York, New York 10036  
January 4, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Box: Sequence

Sir:

COMMUNICATION IN RESPONSE TO NOVEMBER 14, 2001 NOTICE TO COMPLY  
WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO  
ACID SEQUENCE DISCLOSURES

This Communication is submitted in response to the November 14, 2001 Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice To Comply is attached hereto as **Exhibit A**. The Notice provides a period of two months for filing a response. Therefore, a response to this November 14, 2001 Notice is due January 14, 2002. Accordingly, this Communication is being timely filed.

Applicant: Kathryn S.E. Cheah and Kenneth M.C. Cheung  
Serial No.: 09/975,607  
Filed: October 11, 2001  
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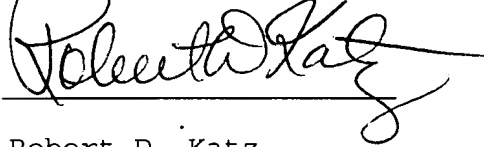
The Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures indicates that the Application clearly fails to comply with the requirements of 37 C.F.R. §1.821 - 1.825. In response, applicants submit as **Exhibit B** hereto a paper copy of the Sequence Listing. In addition, applicants submit herewith a computer readable form (CRF) copy of the "Sequence Listing" as required by 37 C.F.R. §1.825(d). Further, applicants submit herewith a Statement in accordance with 37 C.F.R. §1.821(f) as **Exhibit C**, certifying that the computer readable form containing the nucleic acid and/or amino acid sequences as required by 37 C.F.R. §1.821(e) contains the same information which was submitted as the "Sequence Listing" and contains no new matter.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

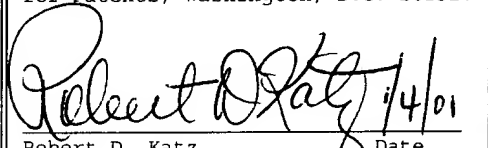
Applicant: Kathryn S.E. Cheah and Kenneth M.C. Cheung  
Serial No.: 09/975,607  
Filed: October 11, 2001  
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Respectfully submitted,



Robert D. Katz  
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I hereby certify that this  
correspondence is being deposited  
this date with the U.S. Postal  
Service with sufficient postage as  
first class mail in an envelope  
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for Patents, Washington, D.C. 20231.

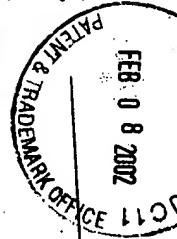


Robert D. Katz      Date  
Reg. No. 30,141

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,607	10/11/2001	Kathryn S.E. Cheah	57114-A

CONFIRMATION NO. 9933

## FORMALITIES LETTER



\*OC000000007062982\*

Robert D. Katz  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, NY 10036

Date Mailed: 11/14/2001

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES


Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE